

REMARKS

The specification is objected to because of informalities.

The drawings are objected to under 37 CFR 1.83(a).

Claims 10-29 are pending in the application.

Claims 10-29 are rejected in 35 U.S.C. 102(e) as being anticipated by the Admitted Prior Art (APA) Figs. 2 and 3.

Claims 10-29 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 8-18 of U.S. Patent No. 6,724,995 B1 ('995).

The specification is objected to because of informalities. Specifically, the Examiner states that:

In page 3 line 2, the specification states: "as stated in claim 1, ...". However, claim 1 is a cancelled claim;

In page 4 line 7, the specification states: "as stated in claim 2, ...". However, claim 1 is a cancelled claim;

In page 4 line 19, the specification states: "as stated in claim 3, ...". However, claim 3 is a cancelled claim;

In page 4 line 25, the specification states: "as stated in claim 4, ...". However, claim 4 is a cancelled claim;

In page 5 line 1, the specification states: "as stated in claim 5, ...". However, claim 5 is a cancelled claim;

In page 5 line 11, the specification states: "as stated in claim 6, ...". However, claim 6 is a cancelled claim;

In page 5 line 21, the specification states: "as stated in claim 7, ...". However, claim 7 is a cancelled claim;

In page 5 line 31, the specification states: "as stated in claim 8, ...". However, claim 8 is a cancelled claim;

In page 6 line 10, the specification states: "as stated in claim 9, ...". However, claim 9 is a cancelled claim. (3/8/06 Office Action, p. 2)

The Applicant respectfully amended the specification to overcome this objection.

The drawings are objected to under 37 CFR 1.83(a). Specifically, the Examiner states that:

The drawings must show every feature of the invention specified in the claims. Therefore, "amplifier"; "filtering" for first and second optical signals; first and second "wavelength multiplex couplers" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. (3/8/06 Office Action, p. 3)

The Applicant respectfully provides a Replacement Sheet for drawing sheet page 1 to include an amplifier in FIG. 4 and cancels Claim 12, 18, 24 and 29 to overcome this objection. No new matter was added.

Claims 10-29 are rejected in 35 U.S.C. 102(e) as being anticipated by APA Figs. 2 and 3.

Specifically, the Examiner states that:

Regarding claims 10 and 16, the APA fig. 2 discloses a method of amplifying optical signals, comprising: transmitting a first optical signal (fig. 2, λL) from one (fig. 2, port A) of first and second bidirectional ports (fig. 2, ports A and D) to a first unidirectional port (fig. 2, port B); transmitting the first optical signal (fig. 2, λL) from the first unidirectional port (fig. 2, port B) through an amplifier (fig. 2, amplifier 9) to a second unidirectional port (fig. 2, port C); and transmitting the first optical signal (fig. 2, λL) from the second unidirectional port (fig. 2, port C) to one (fig. 2, port D) of the first and second bidirectional ports (fig. 2, ports A and D). (3/8/06 Office Action, p. 4)

APA Figs. 2 and 3 do not include a delay element. In contrast, currently amended independent Claim 10 is limited to:

10. A method of amplifying optical signals, comprising:
transmitting a first optical signal from a first bidirectional port of a first coupler to a first unidirectional port of a second coupler connected to the first coupler by a delay element;
transmitting the first optical signal from the first unidirectional port through an amplifier to a second unidirectional port of the second coupler; and
transmitting the first optical signal from the second unidirectional port to a second bidirectional port of the first coupler. (Emphasis added)

Currently amended independent Claims 16 and 25 include similar limitations. Claims 13-15, 19-22, 27, 28, 30-33 directly or indirectly depend on independent Claims 10, 16 and 25.

Claims 10-29 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 8-18 of '995. Specifically, the Examiner states that:

Claims 10-29 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 8-18 of U.S. Patent No. 6,724,995 B1. Although the conflicting claims are not identical, they are not patentably

distinct from each other because claims in the continuation are broader than the ones in patent. In re Van Ornum, 686 F.2d 937, 214 USPQ 761 (CCPA 1982) and In re Goodman, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993), broad claim in continuation application are rejected as obvious double patenting over previously patented narrow claims. For example, claim 10 of the present invention is the method claim corresponding to claims 8 and 10 of the patent except that the specific couplers used for the bidirectional and unidirectional ports, respectively. Therefore, claim 1 of the instant invention is broader than claims 8 and 10 of the patent. (3/8/06 Office Action, p. 8)

The Applicant respectfully files the enclosed terminal disclaimer to overcome this objection.

If there are any additional charges, please charge them to our Deposit Account No. 500-654.

Respectfully submitted,

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